

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re NURTURE BABY FOOD LITIGATION

Master File No.: 1:21-cv-01217-MKV

This Document Relates To:

The Honorable Mary Kay Vyskocil

ALL ACTIONS

**NOTICE OF THE W-R SLATE'S MOTION FOR APPOINTMENT OF  
INTERIM CO-LEAD COUNSEL AND EXECUTIVE COMMITTEE  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 23(g)(3)**

Plaintiffs<sup>1</sup> hereby move the Court pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure for an Order designating Melissa S. Weiner (Pearson, Simon & Warshaw, LLP) and Michael R. Reese (Reese LLP) as Interim Co-Lead Counsel for the putative class and designating Melissa Emert (Kantrowitz, Goldhamer & Graifman, P.C.), Annick M. Persinger (Tycko & Zavareei LLP), Jason P. Sultzer (The Sultzer Law Group P.C.), Charles E. Schaffer (Levin Sedran & Berman LLP), and Rachel Soffin (Milberg Coleman Bryson Phillips Grossman, PLLC) as Interim Executive Committee members. The W-R Slate submits in support of this motion the accompanying Memorandum of Law, Declarations of each of the foregoing counsel with exhibits attached thereto, and a Proposed Order granting this motion.

---

<sup>1</sup> Counsel in the W-R Slate represent plaintiffs in six independently-filed actions: *Gothot v. Nurture, Inc.*, No. 1:21-cv-4997-MKV (S.D.N.Y.) (Weiner and Soffin); *Robbins v Nurture, Inc.*, No. 1:21-cv-5344-MKV (S.D.N.Y.) (Reese and Sultzer); *Strobel v. Nurture, Inc.*, No. 1:21-cv-02129-MKV (S.D.N.Y.) (Persinger); *Jain v. Nurture, Inc.*, No. 1:21-cv-01473-MKV (S.D.N.Y.) (Schaffer); *Westin v. Nurture, Inc.*, No. 1:21-cv-02101-MKV (S.D.N.Y.) (Emert); and *Johnson v. Nurture, Inc.*, No. 1:21-cv-07283-MKV (S.D.N.Y.) (Emert).

Dated: September 28, 2021

**PEARSON SIMON & WARSHAW, LLP**

/s/ Melissa S. Weiner

Melissa S. Weiner

*mweiner@pswlaw.com*

800 LaSalle Avenue, Suite 2150

Minneapolis, Minnesota 55402

Telephone: (612) 389-0600

Facsimile: (612) 389-0610

**REESE LLP**

/s/ Michael R. Reese

Michael R. Reese

*mreese@reesellp.com*

100 West 93<sup>rd</sup> Street, 16<sup>th</sup> Floor

New York, New York 10025

Telephone: (212) 643-0500

Facsimile: (212) 253-4272

*Proposed Interim Co-Lead Counsel*

**KANTROWITZ, GOLDHAMER &  
GRAIFMAN, P.C.**

/s/ Melissa R. Emert

Melissa R. Emert

*memert@kgglaw.com*

747 Chestnut Ridge Road, Suite 200

Chestnut Ridge, New York 10977

Telephone: (845) 356-2570

Facsimile: (845) 356-4335

**TYCKO & ZAVAREEI LLP**

/s/ Annick M. Persinger

Annick M. Persinger (*Pro Hac Vice*)

*apersinger@tzlegal.com*

1970 Broadway, Suite 1070

Oakland California 94612

Telephone: (510) 254-6808

Facsimile: (202) 973-0950

**THE SULTZER LAW GROUP P.C.**

/s/ Jason P. Sultzer

Jason P. Sultzer

*sultzerj@thesultzerlawgroup.com*

85 Civic Center, Suite 200

Poughkeepsie, New York 12601

Telephone: (845) 483-7100

Facsimile: (888) 749-7747

**LEVIN, SEDRAN & BERMAN, LLP**

/s/ Charles E. Schaffer

Charles E. Schaffer (*Pro Hac Vice*)

*cschaffer@lfsblaw.com*

510 Walnut Street, Suite 500

Philadelphia, Pennsylvania 19106

Telephone: (215) 592-1500

Facsimile: (215) 592-4663

**MILBERG COLEMAN BRYSON  
PHILLIPS GROSSMAN, PLLC**

/s/ Rachel Soffin

Rachel Soffin (*Pro Hac Vice*)

*rsoffin@milberg.com*

800 S. Gay Street, Suite 1100

Knoxville, Tennessee 37929

Telephone: (865) 247-0080

*Proposed Interim Executive Committee*